

REMARKS/ARGUMENTS

Prior to entry of this amendment, the application included claims 1-34: An Office Action mailed August 22, 2006, rejected claims 1-4, 6-9, 11-15, 17, 19, 23 and 26 under 35 U.S.C. § 103(a) as being unpatentable over US Publication No. 2002/0147880 to Wang Baldonado ("Wang") in view of US Patent No. 6,009,459 to Belfiore et al. ("Belfiore") and further in view of U.S. Patent No. 6,564,253 to David W. Stebbings ("Stebbing"). Claims 5, 10, 16, 18, 20-22, 24, 25 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of Belfiore and further in view of Stebbings and US Publication No. 2005/0004889 to Bailey et al. ("Bailey"). Claims 28-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of Belfiore and further in view of Bailey and US Patent No. 5,881,131 to Farris et al. ("Farris"). Claim 34 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang in view of US Publication No. 2004/0019535 to Perkowski ("Perkowski") and further in view of US Publication No. 2002/0147724 to Fries et al. ("Fries").

This amendment amends claims 1, 5, 6, 10, 12 and 16, and it cancels claims 3-4, 7-9, 13-25, 23-27 and 34. Hence, after entry of this amendment, claims 1, 2, 5, 6, 10-12, 16-22 and 28-33 stand pending for examination.

Interview Summary

Undersigned counsel appreciates the courtesy exhibited by the Examiner in the telephonic interview conducted between the undersigned and the Examiner on October 31, 2006. In that interview, the undersigned expressed his belief that the claims, as amended herein, are allowable over the cited references, and the Examiner indicated that he agreed with that assessment, but that supervisory review would be required.

Claim Amendments

Claim 1 has been amended to incorporate the elements of prior claims 3, 4 and 23, and those claims, accordingly, have been canceled. Independent claims 5, 6, 10, 12 and 16 have been amended in similar fashion.

Claims 6 and 10, additionally, have been amended to recite that the claimed computer systems “compris[e] a computer readable storage medium having stored thereon a computer program comprising a set of instructions executable by the computer system,” and the elements of those claims have been further amended in conformance therewith to more clearly indicate that these systems are directed toward computer systems, as opposed to methods.

Similarly, claims 12 and 16 have been amended to recite that the software programs to which they are directed are “embodied on a computer readable storage medium” and “compris[e] a set of instructions executable by a computer system,” to more clearly indicate the statutory subject matter to which those claims are directed.

§ 103 Rejections

All of the pending claims have been rejected under § 103(a) as patentable over Wang and Belfiore, taken, in some cases, in view of additional references. As discussed in the October 31, 2006 telephonic interview, however, it is believed that the claims, at least as amended herein, are allowable over any combination of the cited references, and reconsideration of the amended claims is respectfully requested.

Appl. No. 09/612,766
Amdt. dated: November 3, 2006
Reply to Office Action of August 22, 2006 August 22, 2006

PATENT


CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Dated: November 3, 2006

Respectfully submitted,


Chad E. King
Reg. No. 44,187

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000 (Denver office)
Fax: 303-571-4321 (Denver office)

CEK:sbm

Enclosures

60859499 v1